

REMARKS

The Official Action dated August 25, 2005, has been carefully considered. Accordingly, it is believed the following remarks and the Statement of Common Ownership submitted herewith, demonstrate the patentability of claims 20-39, and are believed sufficient to place the present application in condition for allowance. Reconsideration and allowance of the claims is respectfully requested.

Initially, it is noted that the Statement of Common Ownership is unsigned. The original Statement is presently being executed by Jeffrey Bamber, Esq., and the signed version of the Statement will be submitted shortly. Consideration of the unsigned Statement until the executed Statement is submitted is requested.

In the Official Action, claims 20, 32, 34, and 35 were rejected under 35 U.S.C. §102(e) as being anticipated by Deleo et al. (U.S. Patent No. 6,340,633). The Examiner asserted that Deleo et al. teach a cleaning wipe for hard surfaces such as ceramics and glass, wherein said wipe is impregnated with at least one layer of nonwoven material and comprises a surfactant. The Examiner asserted that Deleo et al. disclose the wipe is a nonwoven sheet of at least one material made of pulp, polyester, rayon, nylon, polypropylene, polyethylene and mixtures thereof. The Examiner further asserted that Deleo et al. further disclose surfactants, thickeners, solvents and chelating agents.

However, as will be set forth in detail below, it is submitted that the processes of cleaning dishware using a disposable dishwashing wipe as defined by claims 20, 32, 34, and 35 are not anticipated by Deleo et al. Accordingly, this rejection is traversed and reconsideration is respectfully requested.

The present invention, as defined by claim 20, relates to a process of cleaning dishware using a disposable dishwashing wipe comprising contacting the dishwashing wipe with water and subsequently contacting the dishware with the dishwashing wipe. The dishwashing wipe comprises a non-woven or paper cleaning substrate, and a comparatively

more abrasive scrubbing substrate comprising a polymeric mesh or scrim selected from the group consisting of polyamide fibers, polyethylene fibers, polypropylene fibers and mixtures thereof.

Deleo et al. disclose a cleaning wipe for hard surfaces. The cleaning wipe comprises at least one layer of a non-woven material and a liquid cleaner comprising a surfactant, a hydrophilic polymer and water. Deleo et al. disclose the cleaning wipe comprises a single substrate, preferably being a non-woven sheet. However, Applicants find no teaching by Deleo et al. of a process for cleaning dishware employing a wipe comprising at least one non-woven or paper cleaning substrate and a comparatively more abrasive scrubbing substrate comprising a polymeric mesh or scrim.

Anticipation under 35 U.S.C. §102 requires the disclosure in a single prior art reference of each element of the claims under consideration, *Alco Standard Corp. v. TVA*, 808 F.2d 1490, 1 U.S.P.Q.2d 1337, 1341 (Fed. Cir. 1986). However, the Examiner conceded in Paper Number 4, dated August 29, 2002 (page 3) that Deleo et al. do not teach a dishwashing wipe. Moreover, Deleo et al. do not disclose a process for cleaning dishware using a comparatively more abrasive scrubbing substrate comprising a polymeric mesh or scrim selected from the group consisting of: polyamide fibers, polyethylene fibers, polypropylene fibers and mixtures thereof, particularly in combination with a cleaning substrate as presently claimed. As Applicants find no teaching by Deleo et al. relating to a process of cleaning dishware using a disposable dishwashing wipe, comprising, *inter alia*, a dishwashing wipe having a comparatively more abrasive scrubbing substrate comprising a polymeric mesh or scrim selected from the group consisting of: polyamide fibers, polyethylene fibers, polypropylene fibers and mixtures thereof, particularly in combination with a cleaning substrate as presently claimed, Deleo et al. fail to anticipate claim 20 or any of the claims that depend therefrom (e.g., claims 21-38) under 35 U.S.C. §102.

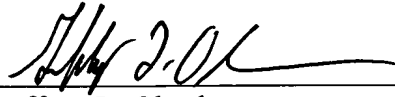
It is therefore submitted that the presently claimed systems are not anticipated by Deleo et al., whereby the rejection under 35 U.S.C. §102(e) has been overcome. Reconsideration is respectfully requested.

In the Official Action, claims 20-39 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sherry et al. (U.S. Patent No. 6,716,805).

However, as will be set forth in detail below, Applicants assert the rejection under § 103(a) is improper as the Sherry et al. patent is not proper prior art with respect to the presently claimed invention. Because the Sherry et al. patent is considered prior art under § 102(e), the provisions of § 103(c) become applicable. Under 35 U.S.C. § 103(c), subject matter developed by another person, which qualifies as prior art only under 35 U.S.C. § 102(e), (f) or (g) shall not preclude patentability under 35 U.S.C. § 103 where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. Submitted herewith is a Statement of Common Ownership which verifies that at the time the invention set forth in the present application was made, the present invention and the invention set forth and claimed in the Sherry et al. patent were subject to an obligation of assignment to a common assignee, The Procter & Gamble Company. In light of this Statement, the rejection under 35 U.S.C. § 103 has been overcome. Reconsideration is respectfully requested.

It is believed that the above represents a complete response to the Examiner's rejection under 35 U.S.C. §§102 and 103 and places the present the application in condition for allowance. Reconsideration and an early allowance are requested.

Respectfully submitted,



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